

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

CHEYENNE SIMONS,

Defendant.

ORDER

07-CR-874

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ APR 09 2019 ★
BROOKLYN OFFICE

Jack B. Weinstein, Senior United States District Judge:

The hearing on defendant's motion to reduce his sentence has been adjourned to April 22, 2019, at 11:30 a.m., in courtroom 10B South.

The court has been informed that defendant has not yet arrived in New York. An adjournment will allow the defendant to be physically present in New York with time to consult with his attorney prior to the hearing. It will also allow the court, and the parties, to prepare for a decision on whether to reduce his sentence and release him forthwith for supervised release.

In view of the record, and the United States's concession that the defendant is eligible for relief under the First Step Act, there is a distinct possibility that the defendant's period of incarceration will be reduced. If release is in fact prompt, he will probably be immediately turned over to probation for intense supervision without having the benefit of 60 days in a halfway house to adjust to civilian life after a long prison term. Probation is directed to work to secure the defendant housing and employment for use upon a possible early release. Probation shall coordinate with a social worker from the Federal Defenders of New York in their effort to place the defendant with shelter, employment, and other necessities of a life of freedom.

Since this is one of the first cases under the First Step Act of 2018, Pub. L. No. 115-391, 132 Stat. 5194, 5222, effective Dec. 21, 2018, it is important that federal defenders, probation,



and the court give careful consideration to aspects of an early release under the First Step legislation.

SO ORDERED.

/s/ Jack B. Weinstein

Jack B. Weinstein

Senior United States District Judge

Date: April 8, 2019
Brooklyn, New York